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MAY 25 2010

OFFICE OF PETITIONS

In re Patent No. 7,485,640	:
Carling et al.	:
Issue Date: February 3, 2009	: DECISION ON REQUEST FOR
Application No. 10/533,152	: RECONSIDERATION OF
Filed: April 27, 2005	: PATENT TERM ADJUSTMENT
Attorney Docket No. T1567YP	: AND NOTICE OF INTENT
Title: IMIDAZOPYRAZINONES AS	: TO ISSUE CERTIFICATE OF
GABA-A RECEPTOR ANXIOLYTICS	: CORRECTION
	:

This is a decision on the petition filed on March 9, 2009, which is being treated as a petition under 37 CFR 1.705(d) requesting that the patent term adjustment indicated on the above-identified patent be corrected to indicate that the term of the above-identified patent is extended or adjusted by eight hundred forty-seven (847) days.

The petition to correct the patent term adjustment indicated on the above-identified patent to indicate that the term of the above-identified patent is extended or adjusted by eight hundred forty-two (842) days is **GRANTED to the extent indicated herein.**

Patentee calculated the B delay based on an application filing date of April 27, 2005. However, the calculation of delay pursuant to 37 CFR 1.702(b) in this international application is based on a national stage commencement date of May 6, 2005, the date of expiration of the 30-month period pursuant to 35 U.S.C. 371(b). The period beginning on May 7, 2008 and ending on February 3, 2009, the date of issuance is 277 days. Considering the period of overlap of 15 days, the patent term adjustment is increased by 262 days for B delay.

The Office will *sua sponte* issue a certificate of correction. Pursuant to 37 CFR 1.322, the Office will not issue a certificate of correction without first providing assignee or

patentee an opportunity to be heard. Accordingly, patentees are given **one (1) month or thirty (30) days**, whichever is longer, from the mail date of this decision to respond. No extensions of time will be granted under § 1.136.

The application is being forwarded to the Certificates of Branch for issuance of a certificate of correction. The Office will issue a certificate of correction indicating that the term of the above-identified patent is extended or adjusted by **eight hundred forty-two (842) days**.

The Office acknowledges submission of the \$200.00 fee set forth in 37 CFR 1.18(e). No additional fees are required.

Telephone inquiries specific to this matter should be directed to the undersigned at (571) 272-3219.

A handwritten signature in black ink, appearing to read "Nancy Johnson", is written over the typed name.

Nancy Johnson
Senior Petitions Attorney
Office of Petitions

Enclosure: Copy of DRAFT Certificate of Correction

UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF CORRECTION

PATENT : 7,485,640 B2

DATED : February 3, 2009

DRAFT

INVENTOR(S) : Carling et al.

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the cover page,

[*] Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 USC 154(b) by 580 days

Delete the phrase "by 580 days" and insert – by 842 days--